

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 1:96cr37WJG-2

LUCIUS DENNIS

ORDER GRANTING MOTION FOR SENTENCE REDUCTION

THIS MATTER is before the Court on the motion [264] filed by the Federal Public Defenders Office on behalf of Defendant Lucius Dennis for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) based upon recent amendments to the sentencing guidelines applicable to offenses involving cocaine base, and the subsequent decision by the United States Sentencing Commission to make this amendment retroactive, pursuant to United States Sentencing Guideline section 1B1.10 effective March 3, 2008. Also pending before the Court is Defendant's *pro se* motion [263] for sentence reduction.

The Court has considered the recalculation of Defendant's sentencing as submitted by the United States Probation Office and the record in this matter, and finds that Defendant's sentence should be reduced to 227 months. As Defendant was not originally sentenced to the lowest end of the guideline range, the Court has determined this sentence reflects an appropriate adjustment within Defendant's revised guideline range.

ORDERED AND ADJUDGED, that the motion [264] filed by the Federal Public Defenders Office on behalf of Defendant Lucius Dennis for sentence reduction be, and is hereby, granted in part and denied in part. The Court denies Defendant's requested for sentencing at the lowest end of the revised range, but grants an appropriate sentence adjustment within the new range. It is further,

ORDERED AND ADJUDGED that Defendant's *pro se* motion [263] be, and is hereby, denied as moot. It is further,

ORDERED AND ADJUDGED that Defendant's sentence be, and is hereby, reduced from 285 months to 227 months. It is further,

ORDERED AND ADJUDGED that all other terms and provisions of the original judgment, (Ct. R., Doc. 78), remain in full force and effect.

SO ORDERED AND ADJUDGED this the 19th day of May, 2008.

Walter J. Fox III
UNITED STATES SENIOR DISTRICT JUDGE